

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

CORI LYNN HOLMES,

Plaintiff,

V.

CROSSROADS JOINT VENTURE, an Indiana Partnership with, SIMON PROPERTIES GROUP, L.P., MS MANAGEMENT ASSOCIATES, Inc., a Foreign Corporation, OFFICER RUMMELL, OFFICER LEGGITT, and OFFICER CLARK,

Defendants.

CASE NO. 8:08CV04

ORDER

This matter is before the Court on the Court's own motion regarding the filing of the Plaintiff's Third Amended Complaint and Jury Demand (Filing No. 32). The filing does not comply with Magistrate Judge Gossett's Order of May 15, 2008, or with Fed. R. Civ. P. 15(a)(2). Plaintiff has not sought leave of the Court to amend her pleadings and for this reason, Plaintiff's Third Amended Complaint will be stricken. Accordingly,

IT IS ORDERED:

1. The Clerk's Office shall strike Plaintiff's Third Amended Complaint and Jury Demand (Filing No. 32);
2. Plaintiff shall have until June 6, 2008, to file a motion for leave to file an amended complaint and jury demand and shall attach a copy of the proposed complaint in accordance with NECivR 15.1; and
3. Defendant shall then have until June 13, 2008, to respond to Plaintiff's motion and to address whether the proposed complaint will affect any issues

raised in Defendants['] Motion to Dismiss, Make More Definite and Strike
(Filing No. 12), which is pending before the Court.

DATED this 3rd day of June, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge